CLASSIFICATION OFFICE DECISION

Title of publication:	Photograph 2 taken 10/12/2013 at 4.26am
Other known title(s):	Not stated
OFLC ref:	1400988.012
Medium:	Computer Image File Printout
Publisher:	Not applicable
Country of origin:	New Zealand
Language:	Not applicable
Applicant:	Commissioner of Police
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	10 February 2015
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	05 February 2015

Summary of reasons for decision:

The image file printout exploits the nudity of a young girl to a degree that renders its availability likely to be injurious to the public good. The image is a photograph that focuses closely on the naked breasts of a young teenage girl. Her face is not shown. No plausible alternative context or purpose is likely, confirming the conclusion that the young girl's nudity has been exploited with sexual intent.

The classification of this publication interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention and is a reasonable limitation on the freedom of expression. The classification reflects the concern of a free and democratic society to protect its young and vulnerable members from sexual exploitation.